

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

June 27, 2016

7:00 p.m.

Present: Barb Paulitzky
Ron Van Kirk
Tony DeMarco
Debbie Tomusko
Kathy Pucci
Mary Albier
Kevin Tanski

Absent: None

Pledge of Allegiance.

APPROVAL OF MINUTES:

MOTION by Tomusko, second by Van Kirk to approve the minutes of May 23, 2016. **VOTE RESULTED:**
Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Albier. Abstain: Tanski. No: None. **(APPROVED)**

Int. Pres. Van Kirk turned the meeting over to the Mayor to recognize a special group of people.

MAYOR'S PROCLAMATIONS:

Mayor Gallagher first presented Proclamations to Fire Fighters Lt. Ken Beck, Sean Barnard, Mike Dranuski, and Ed Kriausky, recently recognized also in the Sun News for a lifesaving incident that occurred in October; a man was experiencing a heart attack as a passenger in a vehicle driving through Brooklyn, and the Fire Fighter/Paramedics used a specialized new heart pump to keep his hearting pumping (after it stopped beating five times), and he has since made a full recovery. She presented each with their Proclamation and thanked them on behalf of the city and residents.

Mayor Gallagher presented Proclamations to Police Officers Tony Aftim, Phil Bungo, Brad Washburn, and Sgt. Paul Stein, for responding to an endangered family in a deadly burglary situation, diffused the situation and attended to the situation during and afterwards. She presented each with their Proclamation and thanked them on behalf of the city and residents. Chief Mielke gave some details on the occurrence of the subject in the process of entering the home and threat to shoot officers, all of it on video. Officers showed bravery and restraint, utilized their training and concluded the horrible situation in a somewhat peaceful resolution; this man had committed previous personal harm/domestic violence to an individual in the house. The restraint the officers showed in this situation was amazing. He thanked each officer for their service to the community.

Interim President Van Kirk thanked them all, stating the city is grateful for their service to the community every day. This is the final regularly scheduled, as Council adjourns for the summer in July and August. The next regular meeting will be Sept. 12th; there could be special meetings during the summer, and if called will be posted for public notification. Tonight's Agenda: request authorization to see back to a vendor a voice vault from the Fire Dept., Ord. 2015-77 and Ord. 2016-32 are still in abeyance: Res. 2016-4, Adopting the Tax Budget for FY 2017; Res. 2016-5 (2nd Read), Declaring City Council's intent to vacate a portion of Montgomery Place south of Manoa Ave., and requiring notice to be published, and declaring an emergency; Ord. 2016-50, amending Sect. 313.11, right turns on red prohibited, of Codified Ords.; Ord. 2016-51, authorize purchase/installation/implementation of software upgrade to the Mayor's Court computer system from the Baldwin Group (\$25,632); Ord. 2016-52, authorizing an agreement with Life Force Mgmt., Inc. for third party EMS and ambulance billing, consultation and related services; Ord. 2016-55, approving the 2016 replacement pages to Brooklyn Codified Ordinances, declaring an emergency.

PUBLIC SESSION:

Alexandria Badza of 8989 Trail Run, a senior at Brooklyn High School, said with blood donations down in summer months, the High School is hosting a summer blood drive on Thurs., July 14th from 11 a.m. to 4 p.m. at the Lutheran Church of the Good Shepherd, 8235 Memphis. Age 16 and older are eligible to donate blood, and students donating will receive two hours of community service. The Red Cross offers scholarship money for seniors each year. Contact her at 216-904-2019 or abadza3@gmail.com. to sign up. Flyers are at the reception desk also.

REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:

Finance Committee (Councilwoman Pucci): The Comm. met at 6:30 and addressed: recommended approval of request to sell back to vendor a voice vault (purchased in 2013 for \$10,795, no longer needed as going through regional dispatch- no bids were received in an attempt at on-line auction, the vendor will take it back for \$750 for parts); Res. 2016-4, adopt tax budget for FY 2017 (adopt by emergency for the mid-July deadline – same 5.9 mills, reminded the city reduced resident property taxes 1 mill in 2009); Res. 2016-5 (2nd Read), to vacate portion of Montgomery Place (legal description not finalized yet, public advertising requirement to be met, Council will address at a later date); Ord. 2016-49 (3rd Read/Adoption), authorize contract with Ryder Truck for Community Reinvestment Area agreement (\$8.6M investment, retain 29 existing jobs with payroll of \$1,571,185, and adding three jobs over three years. Econ. Dev. Committee recommended Council adopt, with 50% of the value of improvement for 10 years, the 14 day waiting period for Brooklyn City Schools and Polaris passed with no objections, Council received updated exhibits to Ord. prior to 2nd Read); Ord. 2016-51 (pass by emergency), authorize purchase/installation/implementation of software upgrade to Mayor's Court computer system (\$25,632); 2016-52 (pass by emergency), authorize agreement with Life Force Mgmt. for third party EMS and ambulance billing, consultation, related services; 2016-55 (pass by emergency), approves replacement pages to the Brooklyn Codified Ordinances (also available on-line); received a report from Ms. Haig reconciling current status of Cap. Imp. Fund.

Recreation Board (Councilman Tanski): Rec Bd. mtgs. are cancelled for July and August. The next meeting will be Monday, September 19th in the Rec Center meeting room at 7 p.m.

Planning Commission (Councilwoman Pucci): The next Comm. meeting is scheduled for July 7th at 6 p.m. in the Conference Room at City Hall, with two new requests: from John Rokakis, architect, for conditional use of a daycare in retail business district at 7003 Memphis; from Ellis Architects, Inc. for lot split/consolidation at 4630 Ridge; old business requests: from L.S. Architects, Inc. for site plan approval for parking lot expansion/site improvements at 4630 Ridge (deferred from 7/20/15, 10/1/15 and 5/5/16 mtgs.) All are welcome to attend and comment (in person or in writing).

REPORTS OF COUNCIL:

Barb Paulitzky: Tiedeman was a parking lot the day after the Cavs win, everyone wanted a commemorative Plain Dealer. It was a site to see, with over 1 million people attending. She hopes the coming convention is as peaceful. With the country's birthday coming on July 4th we need to pray for our country's leaders. A WOW rendition of the National Anthem by the group Madison Rising is online at <http://www.starspandledbannerchallenge.com> (trying to get 10 million to view before Election Day 2016). It's a very moving rendition.

Tony DeMarco: Asked the Mayor to provide any input on Time Warner Cable. Wished residents and families a safe and happy 4th of July and summer. Feel free to call any Councilmember for questions or help.

Debbie Tomusko: Council will be in recess, but still here for everyone. The Mayor will have meetings with directors to start at getting the budget ready for next year, and longer term goals, to be ready when American Greetings leaves, and to be more financially and strategically ready for the future. She's counting on our Econ. Dev. Director to keep working in the summer to try and fill that gap, for more business and revenue coming in. She will have a committee meeting over the summer with the Safety Comm. and the two Chiefs in August; so if anyone has topics to include contact her. The Law Dir. would like to speak then

about the new marijuana law and its impact and more details. Talking about summer, she had a resident talk about excessive noise from a neighbor; she's asking everyone to have consideration for their neighbor when they're having fun in the summer. Reminded that the law in Brooklyn is after 11:00 p.m. there can't be a noise nuisance. But please be respectful of neighbors. Had previously mentioned the Brooklyn High School Hall of Fame dinner, tickets (\$45) are available at the School Board office; dinner is Oct. 13th, inducting seven impressive individuals. Dogs are now allowed in Memorial Park, signs and poop bag stations will be going up; keep your dog under control and use the bags, it will be monitored and rescinded if necessary. Be respectful of other dogs and people walking in the park. Wishes everyone a wonderful 4th of July and safe summer, and take time with your family making memories. Again, Council is still here; e-mail, call for issues or questions that need addressed.

Kathy Pucci: Thanked the Fire Dept. and Police Dept. employees honored this evening. Our safety forces are second to none, and are sometimes taken for granted that they're always there, but are amazing when they are needed. Thanked Ms. Badza for blood drive information, and asked it be put on Facebook and the website. The Community Improvement Corp. (CIC) will meet June 30th at 6 p.m. in the Conference Room to discuss implementation of the Strategic Economic Development Plan, and go into executive session for potential sale of property. The meeting is open to the public. She's been to many Hall of Fame dinners, and they are a lot of fun, with many people in attendance. There are talented people that come from our community. Encouraged residents to attend. School Treasurer Todd Hopkins will be leaving Brooklyn Schools for another position; she thanks him for his dedication to the schools and community (he grew up in Brooklyn) and wishes him the best. Thanked all employees and directors for all efforts; it's a busy time for everyone, and complaints go up this time of year, and Council appreciates what they do for residents and community. Next year is Brooklyn's 150th anniversary, someone has already asked how we will celebrate. She wants to make sure we have time to plan for a celebration and form a committee of interested residents to assist. As mentioned, Council recesses, but is still on the job for residents; contact them with questions or concerns. Wished everyone a safe and enjoyable summer.

Mary Albier: We've heard of kids and animals left in a car in parking lots, dangerous with closed windows in hot summer months. New S.B. 215, Vehicle Forcible Entry, gives civil liability immunity for damage resulting from forcible entry of a vehicle to remove a minor or animal because they are in eminent danger of suffering harm. There are other requirements to go along with the Bill (good faith effort to notify emergency or 911, remain with person or animal till they arrive...) Reminded that if you have school age children, August 5-7 school clothing, supplies and materials purchased are exempt from state and county sales and use taxes (clothing up to \$75 each and supplies/materials up to \$20 each – and other details.) Some of her neighbors took it upon themselves to trim their treelawn trees, and she's stopped them. If people have overgrown or in need of trimmed treelawn trees, do not do it yourselves; the Service Dept. is busy, but will get to it, and will do it professionally. Our Brooklyn Library is a great resource and place to relax and read, with great programs; one they're holding is a babysitting workshop July 25-26 from 1:30-4:30 (grades 5-12), with tips and best practices. Wished everyone a happy, safe and enjoyable summer. She, and Cleveland, will busy with the RNC.

Kevin Tanski: Thanked former Councilman Andy Celcherts for lighting provided at Knight Commons as his personal contribution, it looks great. Was contact by residents regarding the Good Neighbor Guide, with positive comments on friendly and informative articles; thanked Mayor Gallagher for her time and effort on it. Thanked Police Officers and Fire Fighters for their heroic efforts. Wished all residents a happy and safe summer.

Ron Van Kirk: Reiterated the blood drive is July 14th from 11 a.m. to 4 p.m. at the Lutheran Church of the Good Shepherd; it's important to come out and help people. Congratulated the City of Cleveland and Cleveland Cavaliers on their win. 1.3 million people in Downtown Cleveland, all downtown, with very few incidences – to the credit of those down there and safety forces. Hopefully a good face will be put on for the RNC as well. Said his two-year old son now says when he hears them, the sirens help you; so he thanked our Police and Fire officers for their good work, it's appreciated. In a few days we'll celebrate our country's 240th birthday; celebrate safely. As was said, we live in the greatest nation in the world, thank those that have a part in it, and celebrate safely. Wished everyone a safe summer; repeated Council is around, contact them with any questions or concerns.

MAYOR'S REPORT:

Mayor Gallagher: Expressed condolences to the family of Joseph Vyhonsky of Brookway Ln., passed on June 17th and laid to rest at National Cemetery in Ritman, a former city employee at the Rec Center and City Hall late 70s to early 80s. Thanked the Police and Fire again. Saw the body cam for the police incident, and it's scary what they have to deal with sometimes. For them to resolve it with no violence, when someone is threatening to kill them with a gun they can't see, speaks volumes. Time Warner Cable, she had mentioned in her letter to Council, she's reaching out to our rep. weekly about the hook-up, which was changed over to the school; she responds she hasn't heard anything from sales engineer. She keeps e-mailing her, as she hears from residents daily, and Council weekly; but because it's a service that is free and provided by Time Warner, they're not in any rush, and there's nothing she can do to push it. If people want to move to WOW or AT&T U-verse we have them up and running, and meetings are provided on the city website. She apologizes, but she can't control Time Warner. They just merged and were bought out, which probably put some delay to it also. She keeps Council abreast of it, and just in her most recent letter. Thanked Councilman Van Kirk on a project she asked him to help with for the city at beginning of year. He's in the process of merging all of our copy machines onto one maintenance agreement, as we have multiple contracts all over. He did it with his business, and was a good candidate to help with it; he's coming to a close, and it will help save money and upgrade our equipment. Last Friday was the Volunteer Appreciation Lunch at the Senior Center. We have over 4,000 hours donated by seniors who volunteer, and over the last year with our former director, Rita, with health problems, it would have not made it without our volunteers. Thanked them all again, and a luncheon is a small way to say thanks and we appreciate all they do (on behalf of all of the city.) Went to the public safety training center for dedication for CCC, where KeyBank Foundation donated over \$1M to upgrade the police and fire safety training center; it was a terrific job on the renovation, and she formally thanks Key Bank, one of our business members in Brooklyn.

DIRECTORS REPORTS:

Rec Mgr. McGinty: Updated on the Farmer's Market. The city is invested in residents by providing quality programs and services. The Rec Center planned to host several markets through summer 2016; but in the planning several challenges arose, including Memphis road construction, and scheduling of high quality vendors. Instead of having a sub-par market, it's decided to cancel the 2016 Farmer's Market, and work for the best program in 2017 that residents will enjoy. They're working to showcase quality, local vendors, and activities for families and residents. Ideas and feedback are always welcome.

Mayor Gallagher forgot to mention that the city welcomed a new employee today, Dawn Neal, as new Building Dept. secretary. It's the busiest times for that department, and they've been struggling without a secretary for a couple weeks.

Fire Chief Zemek: The Fire Dept. was awarded a \$2,750 grant from Ohio Division of EMS for the reimbursable purchase of EMS equipment. It runs through July 2017, and was previously applied for and approved in June 2015.

Service Dir. Verba: Updated on road construction: Ira, Delora, Melody Ln. scheduled to complete end of week; castings still to be made on Sunny, W. 62nd, Vandalia and Saybrook (then final course put down and completed by middle of July); Sect. 1 completed on Memphis, with phase 2 from Memphis Industrial Parkway past Tiedeman to complete by July 24th; Sect. 3 Tiedeman to Roadman to complete by Aug. 24th; Sect. 4 Roadman to Memphis should complete by Sept. 30th. Waiting for a start date on Tiedeman, experiencing a delay between contractor and design question, with completion scheduled for Nov. 6th. We apologize for inconveniences during construction season. If possible try to avoid areas where construction is taking place. Special pickups: during a holiday week there will be no pickups on Friday. Compost is not a special pickup, and you have to wait for the following collection date for pickup.

Police Chief Mielke: Reminded 4th of July coming, fireworks are still illegal in Brooklyn. Call the Police if needed. Detailed an IRS scam targeting elderly right now, and posted info on city website and Facebook page. Phone calls from (usually) from California, posing as an IRS agent/enforcement agent, giving a badge number, telling taxes were not paid or are behind and owe a lot of money and penalties, and threaten warrants and the police to come. It scares those who receive the call, with the person yelling and being

aggressive to who they call, trying to get money sent. They ask the person to buy a pre-paid Visa or wired card and then they won't send the police to arrest and jail them. If you get a call, hang up immediately, ignore any of those calls coming in, copy the phone number, and contact the Ohio Attorney General and report the scam. Give no personal information over the phone, especially unsolicited calls. Don't call them back or look them up from the number they give you – but look them up or call 411 for information to verify. Do not send any money. Please check in with any older relative or friend and let them know about this scam. They will also call and say they're calling as or for a grandson, niece, nephew, etc., that they're in trouble and need money to get out of jail. Anytime someone is asking for money or to buy a pre-paid card, it's a scam, call the Police if you need help. Int. Pres. Van Kirk added the IRS will never call you, they will send a letter in writing.

Bldg. Comm. Kulcsar: The Mayor took most of his report. Also welcomed Dawn to the Bldg. Dept., who spent the last 14 years as installation mgr. at Lowe's, and we're lucky to have her.

REQUESTS:

Request from Chief Zemek to sell back a Voicevault to Stephen Campbell and Assoc. for \$750. As stated, the equipment was used to record emergency phone calls, now performed by Parma Regional Dispatch. The Chief tried to sell through GovDeals, with no bids, so the contractor will purchase it back. **MOTION** by Pucci, second by Tanski to authorize the sell back. **VOTE RESULTED: To authorize:** Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. **(APPROVED)**

LEGISLATION:

ORDINANCE 2015-77 and 2016-32 still in abeyance.

RESOLUTION 2016-4, Adopting the Tax Budget for the fiscal year 2017. **MOTION** by Pucci, second by Tanski to suspend the rules. **VOTE RESULTED: To Suspend the Rules:** Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. *To Adopt:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

RESOLUTION 2016-5, Declaring City Council's intent to vacate a portion of Montgomery Place south of Manoa Avenue and requiring notice to be published, and declaring an emergency. **(SECOND READING)**

ORDINANCE 2016-49, Authorizing the Mayor to enter into a Community Reinvestment Area agreement with Ryder Truck Rental, Inc. **MOTION** by Pucci, second by Tanski to adopt. **VOTE RESULTED: To Adopt:** Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

ORDINANCE 2016-51, Authorizing the purchase/installation/implementation of a software upgrade to the City of Brooklyn's Mayor's Court computer system from the Baldwin Group, Inc. in the amount of \$25,632. **MOTION** by Pucci, second by Tanski to suspend the rules. **VOTE RESULTED: To Suspend the Rules:** Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. *To Adopt:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

ORDINANCE 2016-52, Authorizing the Mayor of the City of Brooklyn, Ohio to enter into an agreement with Life Force Management, Inc. for third party EMS and ambulance billing consultation and related services. **MOTION** by Pucci, second by Tanski to suspend the rules. **VOTE RESULTED: To Suspend the Rules:** Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. *To Adopt:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

ORDINANCE 2016-55, Approving the 2016 replacement pages to the Brooklyn Codified Ordinances, and declaring an emergency. **MOTION** by Pucci, second by Tanski to suspend the rules. **VOTE RESULTED: To Suspend the Rules:** Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. *To Adopt:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

Verified with Councilwoman Balbier the tax free days are Aug. 5-7.

MOTION by Pucci, second by Tomusko to adjourn to executive session relating to the appointment and compensation of a Finance Director with the Mayor and Law Director. **VOTE RESULTED:** *To adjourn to Executive Session:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. **(ADJOURNED TO EXECUTIVE SESSION)**

RECONVENED

There being no further business, **MOTION** by Tanski, second by Pucci to adjourn. **VOTE RESULTED:** *To Adjourn:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. **(ADJOURNED)**

Clerk of Council

President of Council